
Approved as to Form and Legality

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

2012 JUL -5 PM 5:13

RESOLUTION No. 83975 C.M.S.

CEV

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF CLAUD THOMAS v. CITY OF OAKLAND, ET AL, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG11-566927, IN THE AMOUNT OF \$8,000.00 AS A RESULT OF A FALL AT THE ARROYO VIEJO COMMUNITY PARK IN OAKLAND ON APRIL 5, 2010 (PARKS & RECREATION - DANGEROUS CONDITION OF PUBLIC PROPERTY)

WHEREAS: Plaintiff Claud Thomas fell at the Arroyo Viejo Community Park on April 5, 2010; and

WHEREAS: That Alameda County Superior Court Case No. RG11-566927 resulted from this incident wherein Plaintiff alleges that the railing where he leaned against and fell constituted a dangerous condition of public property causing him to sustain injuries; and

WHEREAS: It is in the City's best interest to settle this case to avoid the possibility of an adverse jury verdict;

NOW, THEREFORE, BE IT RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Claud Thomas v. City of Oakland, City Attorney's File No. 28079, for the sum of Eight Thousand Dollars and No Cents (\$8,000.00); and be it

FURTHER RESOLVED: That the City Attorney is further authorized and directed to take whatever steps as may be necessary to effect said settlement; and be it

FURTHER RESOLVED: That the sum of Eight Thousand Dollars and No Cents (\$8,000.00) be payable to Plaintiff Claud Thomas and T. Troy Otus, his attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 17 2012, 2012

PASSED BY THE FOLLOWING VOTE:

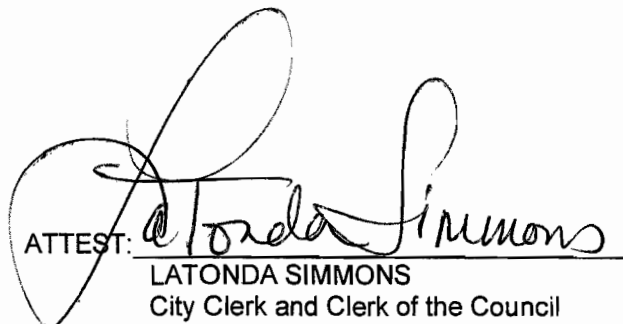
AYES- DE LA FUENTE, KERNIHGAN, NADEL, ~~BRUNNER~~, SCHAFF, BROOKS, ~~WILLIAMS~~ and PRESIDENT REID - 6

NOES- 0

ABSENT- Brunner - 1

ABSTENTION- 0

Excused- Kaplan - 1

ATTEST: 
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California